10/28/2005 16:31 FAX 1609831240



#18

Application No. 09/582,049

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER

In Re Patent Application

Serial Number: 09/582,049

Group Art Unit: 1754

OCT 28 2005

астемрической

Garnier, et al.

Examiner: Nguyen, Ngoc Yen M.

.

Filed: September 1, 2000

Attn. Docket No.: Garnier-1

Title: Silicon Refining Method and

Installation

Date: October 28, 2005

:

Mail Stop Petition
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

This paper requests reconsideration of the decision dated June 28, 2005, dismissing the petition under 37 CFR 1.137(b), filed on May 23, 2005, to revive the above-captioned application. A petition for a two (2) extension of time to extend the due date for requesting reconsideration of the decision to October 28, 2005, is included herewith.

The decision states that the petition under 37 CFR 1.137(b), filed on May 23, 2005, to revive the above-captioned application (the petition to revive) was dismissed because it lacked the requisite reply under 37 CFR 1.113, e.g., a request for continued examination (RCE), an amendment that *prima facis* placed the application in condition for allowance, or a Notice of Appeal.

In order to correct this deficiency, submitted herewith is an RCB and an amendment and response to the Office Action dated September 10, 2002. These papers meet the reply requirement under 37 CFR 1.113. Also submitted herewith is a copy of the petition to revive filed on May 23, 2005.

In view of the foregoing, reconsideration of the decision dated June 28, 2005, dismissing the petition under 37 CFR 1.137(b), filed on May 23, 2005, to revive the above-captioned application, is respectfully requested.

PTN\128988.1



Application No. 09/582,049

The Commissioner is hereby authorized to charge payment of any filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17, which are associated with this communication, or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,

PAUL A. SCHWARZ PTO Reg. No. 37,577

Duane Morris LLP P.O. Box 5203 Princeton, NJ 08543-5203 (609) 631-2446 (phone) (609) 631-2401 (fax)



Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1-137(b) (Large Entity)				Docket No. Garnier-1					
in Re Application	Of: Garaine	•							
Application No. 09/582,049	Filing Data 9/18/2000	Examiner Ngoc Yen M. Nguyen	Customer No. 28581	Group Art Unit	Confirmation No.				
Invention: STLICON REFINING METHOD AND INSTALLATION									
Attention: Office of Petitions Mail Stop Petition COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450									
NOTE: If Information or assistance is needed in completing this form, please contact Petitions information at (703) 305-9282.									
The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademerk Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.									
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION NOTE: A grantable petition requires the following items:									
(1) Patition fee; (2) Reply and/or Issue fee;									
(3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995; and for all design applications; and									
(4) Statement that the entire delay was unintentional.									
1. A proposed reply to the above-identified notice or action:									
⊠ is enclosed. □ was filed on									
The proposed reply is in the form of:									
2. The issue for	e:								
is enclo	sed. 🗌 was	paid on							
3. 🖾 The abando	ned application was	a:							
design a	application. 🛭 u	utility application, 🔲 plant a	pplication.		·				
4. A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.									
5. 🛛 Since this ut	ility/plant application	was filed on or after June 8, 19	995, no termina	l disclaimer is re	quired.				
		(Page 1 of 3)	•						



Petition F	cket No.							
I Inintentionally Yinder 37 (TED 1 1270b) or amore the state of the st					rnier-1			
In Re Application Of: Garaier								
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.			
09/582,049 9/18/2000		Ngọc Yen M. Nguyên	28581	1754	6845			
Invention: SILICON REFINING METHOD AND INSTALLATION								
		<u> </u>		•				
Calculation and Payment of Fees								
Enclosed are the fol	lowing fees:							
8. 🖾 Petition fe	\$ 1,500.00							
7. Fee for an								
8. Si Fee for extension of time to respond to Office Action in the amount of:								
	\$1,020.00							
9. 🔲 l s sue fee i								
10. Continuing application filing fee in the amount of:								
11. Terminal disclaimer fee in the amount of:								
12. 🗀								
					· 			
		. :	Total fo	es enclosed:	\$2,520.00			
The fee of \$2,5	520 Is to be paid	l as follows:	•					
	amount of the fee is							
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-2061								
Payment by credit card. Form PTO-2038 is attached.								
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
uuttu on i	ans mill LLOAID6 C	senit cale imormation and au	tnontation or	PTO-2038.				
	•				1			



2007 Duane Morris Princeton Petition For Revival Of An Application For Patent Abandoned Docket No. Unintentionally Under 37 CFR 1.137(b) (Large Entity) Garnier-1 In Re Application Of: Garnier Application No. Filing Date Examiner Customer No. **Group Art Unit** Confirmation No. 09/582,049 9/18/2000 Ngoc Yen M. Nguyen 28581 1754 6845 Invention: SILICON REFINING METHOD AND INSTALLATION Statement The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Dated: 5/20/2005 Paul A. Sebwarz Reg. No. 37,577 Duane Morris LLP

P.O. Box 5203 Princeton, NJ 08543-5203 609-631-2446

I hereby cartify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patants, P.O. Box 1450, Alexandria, VA 22313-1450" [37] CFR 1.8(a)] on

5/20/2005

Signature of Person Mailing Correspondence

Susan Barlett

Typed or Printed Name of Person Malling Correspondence

CC: